

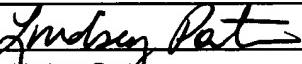
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<b>O I P E T A R M S T A N D A R D</b> <b>TRANSMITTAL</b> <b>FORM</b> <small>DEC 9 1 2005</small> <small>PATENT &amp; TRADEMARK OFFICE</small> <small>(to be used for all correspondence after initial filing)</small>		Application Number	10/760,999
		Filing Date	January 20, 2004
		First Named Inventor	Mark Harbaugh
		Art Unit	3731
		Examiner Name	Erezo, Darwin P.
Total Number of Pages in This Submission		Attorney Docket Number	50642/287728

ENCLOSURES (check all that apply)			
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <b>Supplemental</b> <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Certificate of Mailing Form PTO/SB/08/a (two sheets) 15 Publications	
		<b>Remarks</b>	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Kilpatrick Stockton, LLP		
Signature			
Printed Name	Michael A. Bertelson		
Date	December 12, 2005	Reg. No.	54,713

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Signature		Date	12-12-05
Typed or printed name	Lindsey Porter		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Harbaugh, et al.

SERIAL NO.: 10/760,999 Group Art Unit: 3731

FILED: January 20, 2004 Examiner: Erezo,  
Darwin P.

FOR: SYSTEMS AND METHODS FOR PERFORMING  
MINIMALLY INVASIVE INCISIONS

Attorney Docket No.: 50642/287728

Date: December 12, 2005

Mail Stop Amendment  
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

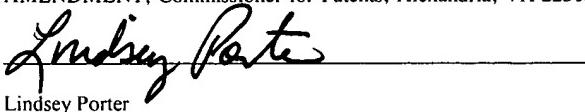
In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the enclosed Form PTO/SB/08a are cited for consideration by the Examiner. Copies of the cited non-U.S. publications and other materials are enclosed.

Submission of the references provided in this Supplemental Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance

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I hereby certify that this Supplemental Information Disclosure Statement and all documents referred to therein are being deposited with the United States Postal Service as certified first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, Alexandria, VA 22313-1450 on December 12, 2005.

  
Lindsey Porter

U.S. Serial No. 10/760,999

Filed: January 20, 2004

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Page 2

with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

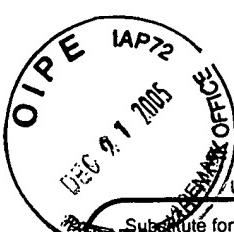
This Supplemental Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before the mailing date of an office action on the merits. Applicants believe that no fee is due for consideration of this paper. However, if a fee is due, the Commissioner is authorized to charge any fee due to Deposit Account No. 11-0855.

Respectfully submitted,



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PTO/SB/08a (08-03)  
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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
Sheet	1	of	2	Application Number	10/760,999
				Filing Date	January 20, 2004
				First Named Inventor	Mark Harbaugh
				Art Unit	3731
				Examiner Name	Erezo, Darwin P.
				Attorney Docket Number	50642/287728

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-4,565,192	01/21/1986	Shapiro	
		US-4,574,794	03/11/1986	Cooke, et al.	
		US-4,703,751	11/03/1987	Pohl	
		US-4,938,762	07/03/1990	Wehrli	
		US-5,049,149	09/17/1991	Schmidt	
		US-5,364,401	11/15/1994	Ferrante, et al.	
		US-5,445,642	08/29/1995	McNulty, et al.	
		US-5,683,397	11/04/1997	Vendrely, et al.	
		US-5,688,279	11/18/1997	McNulty, et al.	
		US-5,693,056	12/02/1997	Carls, et al.	
		US-5,704,941	01/06/1998	Jacober, et al.	
		US-5,797,924	08/25/1998	Schulte, et al.	
		US-5,897,559	04/27/1999	Masinie	
		US-6,073,044	06/06/2000	Fitzpatrick, et al.	
		US-6,554,837 B1	04/29/2003	Hauri, et al.	
		US-6,827,723	12/07/2004	Carson	
		US-2001/0036245 A1	11/01/2001	Kienzle, III, et al.	
		US-2003/0225329 A1	12/04/2003	Rossner, et al.	
		US-2005/0021037	01/27/2005	McCombs et al.	
		US-2005/0113658 A1	05/26/2005	Jacobson, et al.	
		US-2005/0113846 A1	05/26/2005	Carson	
		US-2005/0113659 A1	05/26/2005	Pothier	
		US-2005/0109855 A1	05/26/2005	McCombs	
		US-2005/0119639 A1	06/02/2005	McCombs	
		US-2005/0124988 A1	06/09/2005	Terrill-Grisoni et al.	
		US-2005/0149041 A1	07/07/2005	McGinley	
		US-2005/0159759 A1	07/21/2005	Harbaugh et al.	
		US-2005/0197569 A1	09/08/2005	McCombs	
		US-2005/0228266	10/13/2005	McCombs	
		US-2005/0228404	10/13/2005	Vandevelde	
		US-2005/0234332	10/20/2005	Murphy	
		US-2005/0234465	10/20/2005	McCombs	
		US-2005/0234466	10/20/2005	Stallings	
		US-2005/0234468	10/20/2005	Carson	
		US-2005/0245808	11/03/2005	Carson	
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STATEMENT BY APPLICANT**

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Application Number	10/760,999
Filing Date	January 20, 2004
First Named Inventor	Mark Harbaugh
Art Unit	3731
Examiner Name	Erezo, Darwin P.

Sheet

of

Attorney Docket Number

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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> – Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		WO 97/29683	08/21/1997	Biosense, Inc.		
		WO 02/24096 A1	03/28/2002	Medtronic, Inc.		
		WO 03/068090 A1	08/21/2003	Smith & Nephew, Inc.		
		WO 2004/001569 A2	12/31/2003	Cedara Software Corp.		
		WO 2004/017842 A2	03/04/2004	Orthosoft, Inc.		
		WO05/048851 A1	06/02/2005	Smith & Nephew, Inc.		
		WO05/053559 A1	06/16/2005	Smith & Nephew, Inc.		
		WO05/070312 A1	08/04/2005	Smith & Nephew, Inc.		
		WO 2005/070319 A1	08/04/2005	Smith & Nephew, Inc.		
		WO 2005/072629 A1	08/11/2005	Smith & Nephew, Inc.		
		WO 2005/096982	10/20/2005	Smith & Nephew, Inc.		
		EP 0 380 451 A2	08/01/1990	G. Cremascoli		
		EP 0 415 837 A2	03/06/1991	Commissariat A. L'Energie		
		DE 201 03 416 U1	07/05/2001	BrainLAB		
		DE 100 45 381 A1	04/11/2002	Aesculap AG		

Examiner Signature

Date Considered

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